

REMARKS/ARGUMENTS

Claims 1-11, 13-24, 28-29, 31-37, and 39-41 are pending in the application. Claims 1, 3-6, 9, 20, 31-33, and 36-37 have been amended. Claims 12, 25-27, 30, and 38 have been canceled. New claims 39-41 have been added. No new matter has been added by the claim amendments or addition of new claims.

Claim 38 is objected to under 37 C.F.R. §1.75(c) as being of improper dependence form for failing to further limit the subject matter of a previous claim.

Claims 1-6, 9-11, 13, 14, 16, 18-20, 23-30, 33-38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lai et al., U.S. Patent No. 6,593,860, in view of Bruno et al., U.S. Patent No. 6,262,978.

Claim Objections

Claim 38 has been canceled. Thus, the claims objections have become moot.

Claim Rejections - 35 U.S.C. § 103

Claim 1 has been amended to recite "wherein the PTS is adapted to perform transcoding of multimedia system protocols, one or more audio streams, and one or more video streams, the multimedia system protocols selected from the group consisting of H.323, H.324, and SIP," among other elements. Applicants respectfully submit that in view of these claim amendments, the pending rejection under § 103 fails to establish a *prima facie* case of obviousness.

The Examiner is respectfully reminded that in order to establish a *prima facie* case of obviousness:

there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. (MPEP 2143).

Here, Applicants respectfully submit that there is no motivation to combine Lai with Bruno to make the pending claims obvious.

Bruno describes a system for establishing a communication path for a call between a video telephone/teleconference call and a packet network telephone terminal through a packet network. (Bruno at Abstract). Among other elements, Bruno does not teach or suggest the

transcoding of "one or more video streams" and provides no motivation to perform this function. Rather, as illustrated in FIG. 2B, Bruno "peels the audio stream off the H.320 customer's call signal" (step 216) and then routes the translated audio stream to the packet network telephone (step 220), which does not support video display. Thus, because the packet network telephone terminal described by Bruno does not support video, there is no motivation provided by Bruno to support the combination proposed by the Examiner. For at least these reasons, claim 1 is in condition for allowance.

Claims 2-11, 12-19, 28, 31-37, and 39-41, which depend from claim 1, are in condition for allowance, for at least the reasons discussed in relation to claim 1, as well as for the additional elements they recite.

Claim 20 has been amended to recite a system including a capability exchange process adapted to "determine one or more characteristics of a media channel coupled to the source output utilizing a message-based command and control protocol for negotiation in the capability exchange process" among other elements. Applicants respectfully submit that the cited references do not teach or suggest at least these elements in the manner claimed.

A first requirement to establish a *prima facie* case of obviousness is that "the prior art reference (or references when combined) must teach or suggest all of the claim limitations." (MPEP 2143). Here, neither Lai nor Bruno utilize a message-based command and control protocol for negotiation, among other elements. For at least these reasons, claim 20 is in condition for allowance.

Claims 21-24 and 29, which depend from claim 20, are in condition for allowance, for at least the reasons discussed in relation to claim 20, as well as for the additional elements they recite.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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